

Message Text

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ACTION NEA-10

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E.O. 11652: N/A

TAGS: USIRJC, AFSP

SUBJECT: USIRJC ADMINISTRATIVE ARRANGEMENTS

REF: A. STATE 131761,B. TEHRAN 4606 AND PREVIOUS

1. AS THE DEPARTMENT HAS NOTED THERE HAS BEEN A DECIDED SLOWDOWN IN THE IMPLEMENTATION OF A NUMBER OF JOINT COMMISSION PROJECTS AGREED TO IN PRINCIPLE BY VARIOUS JOINT COMMISSION COMMITTEES. AS IS FREQUENTLY THE CASE HERE, THE TRANSFORMATION OF FORM INTO SUBSTANCE IS PROVING TO BE AN ARDUOUS AND TEDIOUS PROCESS WITH IMPLEMENTORS OF BELOW MINISTERIAL RANK RELUCTANT TO ASSUME RESPONSIBILITIES OR MAKE DECISIONS. THERE IS ALSO AN ELEMENT OF UNCERTAINTY DUE TO LACK OF EXPERIENCE AS TO HOW ONE OUGHT TO PROCEED. AS THE DEPARTMENT NOTES, WE HAVE PRESSED VIGOROUSLY AND PERSISTENTLY FOR FORWARD MOVEMENT WITH MINIMAL SUCCESS. INDEED, WE HAD ALREADY ANTICIPATED THE DEPARTMENT'S SUGGESTION THAT WE ONCE AGAIN RAISE THIS MATTER AT THE MINISTERIAL LEVEL WHEN THE DCM SPOKE TO HUSHANG ANSARY ABOUT TEN DAYS AGO. AT THAT TIME ANSARY SAID THAT HE HAD NOT PREVIOUSLY QUITE CLEARLY UNDERSTOOD WHAT OUR PROBLEMS AND CONCERNS WERE WITH REGARD TO ADMINISTRATIVE ARRANGEMENTS BUT THAT AS A CONSEQUENCE OF THE CONVERSATION, IT WAS NOW CLEAR AND THAT HE WOULD INSTRUCT VAFA TO LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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GET MOVING. REGRETTABLY NOTHING FOLLOWED IN SPITE OF SEVERAL ADDITIONAL LETTERS AND PHONE CALLS TO VAFA. IN OUR OPINION IT IS PAINFULLY EVIDENT THAT VAFA IS NOT UP TO THE TASK.

2. IN VIEW OF THE FOREGOING WE BELIEVE WE SHOULD TAKE A DIFFERENT TACK. THIS WOULD BE TO PRESENT RELEVANT GOI MINISTRIES OR AGENCIES WITH A PROPOSED AGREEMENT WHICH WOULD BE COMMON TO ALL, AND IN EFFECT, NON-NEGOTIABLE. A PROMISING PROTOTYPE OF SUCH AN AGREEMENT HAS BEEN REACHED BETWEEN THE FHA AND THE MINISTRY OF ROADS AND TRANSPORTATION ON MARCH 6. THE DEPARTMENT HAS A COPY OF THIS AGREEMENT. WHILE IN OUR JUDGMENT IT IS DEFICIENT IN SEVERAL AREAS WHICH WILL BE DISCUSSED BELOW, IT NEVERTHELESS MAY BE A STARTING POINT FOR THE DEPARTMENT IN DEVELOPING A PROPOSAL(CAREFULLY VETTED BY OUR LEGAL EXPERTS AND OTHER CONCERNED OFFICES) TO BE PRESENTED TO THE GOI AS A COORDINATED USG POSITION.

3. OUR COMMENTS ON THE FHA AGREEMENT FOLLOW:

A. DEFINITIONS: THE BASIS FOR REIMBURSEMENT AND ALLOWANCES FOR TECHNICAL COOPERATION EXPERTS WILL IN MANY INSTANCES BE ACCORDING TO USG REGULATIONS. THEREFORE WE BELIEVE IT ESSENTIAL THAT THE BASIC AGREEMENT INCLUDING A SECTION WHICH SPECIFICALLY DEFINES THESE REGULATIONS E.G. EMERGENCY LEAVES, WORK WEEKS, ALLOWABLE TRAVEL EXPENSES, EDUCATION ALLOWANCES, ETC.

B. FINANCIAL ARRANGEMENTS: THE SECTION OF THE AGREEMENT DEALING WITH FINANCIAL ARRANGEMENTS SHOULD BE SPECIFIC WITH REGARD TO DOLLAR AND/OR RIAL ACCOUNTS, BILLING, ALLOWANCES FOR CHANGE IN EXCHANGE RATES, TIME DELAYS, RETURN OF BALANCES IN THE EVENT OF TERMINATION, REPLENISHMENT, TIMING AND METHODS, ETC.

C. PERSONNEL: WITH RESPECT TO THE AUGMENTATION OR REDUCTION OF TECHNICAL PERSONNEL IN IRAN, THE AGREEMENT SHOULD NOTE THAT RATIFICATION OF AGENCY-TO-AGENCY AGREEMENTS ARE TO BE MADE BY THE AMBASSADOR ON OUR SIDE TO INSURE CONTINUED COORDINATION IN ACCORD-
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ANCE WITH THE AMBASSADOR'S RESPONSIBILITY FOR ALL US ACTIVITIES IN THE COUNTRY. RATIFICATION RESPONSIBILITY ON THE GOI SIDE SHOULD REST WITH THE CO-CHAIRMAN OF THE JOINT COMMISSION OR HIS DESIGNATED REPRESENTATIVE.

D. COMPENSATION: AS THE FHA AGREEMENT NOW STANDS, REIMBURSEMENT FOR HOUSING IS PERMITTED ABOVE THE LEVEL OF EXISTING US REGULATIONS. AS WE HAVE SAID REPEATEDLY, WE CANNOT AGREE TO USG EMPLOYEES OPERATING IN IRAN ON DIFFERENT HOUSING OR REIMBURSEMENT AND ALLOWANCE STANDARDS. THIS ISSUE NEEDS TO BE RESOLVED IN

WASHINGTON. COMMON STANDARDS ALSO NEED TO BE SET FOR SHIPMENT OF HOUSEHOLD FURNITURE AND/OR THE PROVISION OF SUCH FURNISHINGS AND APPLIANCES LOCALLY.

E. EXPENSES IN THE US: CHARGES FOR PROGRAM AND ADMINISTRATIVE SUPPORT SERVICES PROVIDED BY US PERSONNEL IN WASHINGTON SHOULD BE CLEARLY DEFINED AND DETAILED TO ENSURE AVOIDANCE OF SUBSEQUENT MISUNDERSTANDING OR DISAGREEMENT ON FINAL ACCOUNTING.

F. S.A.S.: IT NOW SEEMS EVIDENT THAT THE GOI WILL EXPECT USG TO PROVIDE SUBSTANTIAL ADMINISTRATIVE LOGISTIC SUPPORT. CHARGES AND THE BASIS FOR SUCH CHARGES SHOULD BE CLEARLY DEFINED IN THE AGREEMENT. IT IS NOTED HOWEVER, THAT A MAJOR EXCEPTION WILL BE IN THE AREA OF THE GOI PROVIDED OFFICE SPACE, STENOGRAPHIC AND CLERICAL ASSISTANCE AND OFFICE SUPPLIES, ETC. EVEN THOUGH THE GOI SEEMS DISPOSED TO PROVIDE THESE FACILITIES, IT SEEMS DESIRABLE THAT THEY BE SPECIFIED AND DETAILED IN THE AGREEMENT.

4. WITH RESPECT TO FRONT MONEY FOR TEMPORARY OR PERMANENT LODGING AND FUNDING OF ADMINISTRATIVE PERSONNEL AND SERVICES, WE DO NOT BELIEVE WE CAN PERSUADE THE GOI TO PROVIDE A SINGLE SUM FROM A CENTRAL SOURCE. WE ARE LEFT THEREFORE WITH PROBLEM OF CONSOLIDATING AND ADMINISTERING SUCH FUNDS AS MAY BE MADE AVAILABLE THROUGH IMPLEMENTATION OF INDIVIDUAL AGREEMENTS. WHILE THIS ASSUMES THE APPEARANCE OF AN ADMINISTRATIVE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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NIGHTMARE, WE SEE NO VIABLE ALTERNATIVE.

5. WE WOULD BE GRATEFUL FOR THE DEPARTMENT'S THOUGHTS AND REACTION TO THE FOREGOING. MIKLOS

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